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APR 16 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Julio Armando INDA, Defendant.	Magistrate Case No.: '08 MJ 8328 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

On or about April 15, 2008, within the Southern District of California, defendant Julio Armando INDA did knowingly and intentionally import approximately 57.22 kilograms (125.88 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
Immigration and Customs Enforcement

SWORN TO ME BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 16TH DAY OF APRIL 2008.

Peter C Lewis
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Julio Armando INDA

STATEMENT OF FACTS

This statement of facts is based on the reports, documents, and notes furnished to US Immigration and Customs Enforcement Special Agent Behm.

On April 15, 2008, at approximately 0300 hours, Julio Armando INDA entered the United States at the Calexico, California, West, Port of Entry. INDA was the driver, registered owner, and sole occupant of a 1999 Chevrolet 1500 pickup.

At the primary lanes, INDA gave the primary inspector, Customs and Border Protection Officer (CBPO) A. Moreno a negative oral customs declaration. The primary inspector tapped the gas tank and noticed that it felt solid. The primary inspector walked to vehicle off the primary lanes to the vehicle secondary lot.

In the secondary lot, a canine alerted to the presence of narcotic odor in INDA's vehicle. CBPO C. Jones notified CBPO P. Farrier of the alert.

A subsequent inspection of the vehicle revealed several packages inside the gas tank, dash board, and rear cab area. One of the packages was probed by CBPO Farrier and a sample of a green leafy substance was obtained, which field tested positive for marijuana. The packages had a combined net weight of approximately 57.22 kilograms (125.88 pounds).

INDA was placed under arrest and advised of his Miranda Rights, by Immigration and Customs Enforcement Special Agent Behm which he acknowledged and waived. INDA admitted knowledge of the marijuana in the vehicle. INDA stated that he was given the marijuana and was going to sell it at a profit to repay the person he acquired the marijuana from.